

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : **CRIMINAL NO. 21-274**

EDUARDO CASTELAN-PRADO :
JOSE REYES OCHOA

GOVERNMENT’S TRIAL MEMORANDUM

I. THE INDICTMENT

Count One of the indictment alleges that the defendants conspired and agreed to knowingly, willfully, and unlawfully seize, confine, inveigle, kidnap, abduct, carry away, and hold for ransom and reward an individual who had not attained the age of eighteen years, for the purpose of collecting ransom money from the individual’s parents, and in furtherance of the commission of the offense, used means, facilities, and instrumentalities of interstate and foreign commerce, and traveled in interstate commerce, and willfully transported the victim in interstate commerce, in violation of Title 18, United States Code, Section 1201(a)(1), (c), (g).

Count Two of the indictment alleges that the defendants did knowingly, willfully, and unlawfully seize, confine, inveigle, decoy, kidnap, abduct and carry away, and hold for ransom and reward an individual who had not attained the age of eighteen years, for the purpose of collecting ransom money, and in furtherance of the commission of the offense, used means, facilities and instrumentalities of interstate and foreign commerce, and traveled in interstate commerce, and willfully transported the victim in interstate commerce from Pennsylvania to New Jersey, in violation of Title 18, United States Code, Sections 1201(a)(1), (g).

II. FACTUAL BACKGROUND

On June 14, 2021, seventeen-year-old Jayden Santana (“Jayden”) went to work at the Olive Garden restaurant at 9280 Roosevelt Boulevard in Philadelphia. Jayden’s shift ended at approximately 9:00 p.m., but according to his father, Waldis Santana (“Waldis”), Jayden did not make it home. Waldis went to search for him in the area near the Olive Garden.

At approximately 10:30 p.m., Waldis began receiving telephone calls from a number, which was assigned to Verizon Wireless. The callers said that they had Jayden demanded ransom for his safe return. Waldis stated that he believed he heard two men on the other end of the telephone call. Waldis believed that based on their accent, the men were either of Columbian or Mexican descent. There were additional telephone calls directing Waldis to pay \$500,000 for the return of his son at an unspecified location.

While Waldis was receiving these calls, he continued to search the area for Jayden. He located Jayden’s vehicle in the parking lot of an ACME market located at 8200 Roosevelt Boulevard, approximately 1.5 miles away from the Olive Garden.

Jayden’s mother, Joana Nunez (“Joanna”), was also receiving cell phone calls from the kidnappers advising her of the same information relayed to Waldis. Specifically, Joana was told that Waldis had to pay \$500,000, and once the money was received, she would be contacted with a location where they would drop Jayden off. On June 15, 2021, at 12:34 a.m., Joana began receiving telephone calls from a different telephone number that was blocked. According to Joana, she believed the male voice was the same individual who was calling her from the first phone number. Joana received numerous calls from this second phone. All the telephone calls were from a male voice, calling from the blocked number, and demanding that Joana make Waldis pay \$500,000. According to Joana, the kidnapper stated that he was collecting the debt for someone

else. During a few of the calls, the kidnappers allowed Joana to speak to Jayden, as proof that he was still alive. Joana immediately recognized Jayden's voice and Jayden told her that he was being held at gunpoint.

On June 15, 2021, Waldis contacted the Philadelphia Police Department's Special Victim Unit to report Jayden's disappearance and the ransom calls.

Upon review of video footage generated by security cameras of ACME's parking lot, law enforcement observed an unknown male parking Jayden's vehicle at approximately 8:45 p.m. on June 14, 2021. The unknown male is then seen exiting the driver's side of the vehicle and entering a black Jeep Grand Cherokee. The Jeep then departed the area.

Members of the Philadelphia Police Department and FBI submitted exigent requests for the call detail records and additional phone records of Joana's cellular telephone number to T-Mobile. T-Mobile subsequently provided the requested information, and investigators were able to identify the blocked phone number calling Joana's phone as a number assigned to Verizon Wireless. Agents also requested exigent telephone records and telephone pings for the two telephone numbers used to call Joana. The records traced the location to the area of NJ-93/Grand Avenue and Lakeview Avenue in Leonia, New Jersey. Law enforcement officers obtained authorization to use live location tracking and information for the phone numbers used by the kidnappers.

Investigators initiated surveillance around Grand Avenue and Lakeview Avenue in Leonia, New Jersey, searching for any vehicles that matched the description of the black Jeep Grand Cherokee. Leonia Borough Police Officers informed the FBI of a previous DEA case that involved a black Jeep Grand Cherokee and a residential address of 29A Lakeview Avenue.

As a result of this information, the VIN number for the Jeep Grand Cherokee was

identified. Research showed the vehicle was connected to AT&T. AT&T confirmed that the vehicle was connected to their network. An exigent records request for the historical location data of the Jeep Grand Cherokee revealed that the vehicle was located at the Olive Garden restaurant where the kidnapping occurred at 8:26 p.m. on June 14, 2021, the approximate time of the kidnapping. AT&T results also revealed that the Jeep Grand Cherokee was located just south of the ACME market in Philadelphia at 8:51 p.m. on June 14, 2021. This is shortly after surveillance video depicts the Jeep Grand Cherokee in the ACME parking lot.

On June 15, 2021, investigators focused their surveillance on 29A Lakeview Avenue. Shortly thereafter, surveillance personnel located the black Jeep Grand Cherokee parked on the north side of Lakeview Avenue, approximately three hundred feet west of Grand Avenue, and in front of the Lakeview Apartment courtyard at approximately 11:00 p.m. Agents on surveillance also observed movement between 29A Lakeview Avenue, and another apartment in the complex down the street, 92D Lakeview Avenue.

In the early morning hours of June 16, 2021, Joana received a call again demanding ransom and threatening Joana that if they did not receive their money, they would have to go to “plan B.” T-Mobile records for Joana’s telephone number revealed the blocked phone number calling her was a new telephone number, which was assigned by Verizon Wireless. FBI submitted an exigent request to Verizon Wireless for the location records for the telephone number, which placed it in the same vicinity as the other two previous telephone numbers used by the kidnappers near Lakeview Avenue.

On June 16, 2021, law enforcement went to 29A Lakeview Avenue to execute a search

warrant.¹ Once they entered the residence, agents encountered Jayden, who was next to a suspect armed with a firearm, later identified as Rodrigo Rodriguez-Gonzalez (included as “R.G” in the indictment). Rodriguez pointed the firearm at agents, who then engaged and killed him. Defendant Jose Reyes Ochoa (“Ochoa”) was detained in the apartment. Also located in the apartment were Sonya Mabel Cabrera, who was later determined to be a friend of defendant Castelan-Prado, and Eduardo Castelan, Jr., defendant Castelan-Prado’s fifteen-year-old son.

Contact was also made with the residents of 92D Lakeview Avenue where agents located and detained defendant Eduardo Castelan-Prado. Also present in 92D Lakeview Avenue was Rosa Rojas, the registered owner of the black Jeep Grand Cherokee and girlfriend of Eduardo Castelan-Prado. Castelan-Prado provided consent to search 92D Lakeview Avenue. Among items seized were multiple cell phones, a receipt dated June 9, 2021, from a Walmart in Teterboro, New Jersey, near Leonia, for the purchase of multiple cell phones, and a receipt dated June 10, 2021, from a Walmart on Roosevelt Boulevard, in Philadelphia, Pennsylvania, near where Jayden was abducted, for the purchase of toiletries. One of the cell phones discovered in 92D Lakeview Avenue was broken in half, but the IMEI number was still visible, and agents were able to match that number to one of the phone numbers used to make the ransom calls.

On June 16, 2021, Jayden was interviewed. Jayden stated on the evening of June 14, 2021, he was forcibly abducted by what he believed at the time were four individuals in the parking lot of the Olive Garden restaurant. He was forced into the back of a vehicle, and the abductors covered his face. He heard a sound of a handgun being racked, causing Jayden to be compliant, as he was concerned for his life. The kidnappers drove around with Jayden captive in the car for a long time

¹ The search warrant was obtained in New Jersey state court.

until they forced him into a white van, held at gun point. Jayden stated the kidnappers took his iPhone out of his pocket when they abducted him in Philadelphia, and while in the white van, the kidnappers forced Jayden to unlock his iPhone to retrieve his mother's telephone number so they could make ransom phone calls to her. After several hours, the kidnappers led Jayden into a residence where he was forced to wear a face mask. Despite the mask, he had opportunities to see some of his abductors. Jayden described who he referred to as the main person as having mid-length black hair, a wide large nose, and a bald spot on the top of his head. This description is consistent with defendant Castelan-Prado's physical appearance.

When the kidnappers realized Jayden was moving his head to watch his captors, they placed two more masks over his face. Jayden was still able to view two other people involved, one of which he described as much larger, wearing a black sweatshirt with a beard, who concealed his face, and the other person who wore gloves, a long sleeve black shirt, and a black hat. These two people remained in the main room of the apartment with him for most of the time, while he was held against his will. According to Jayden, the larger of the two men was watching the doors and windows, and the other captor, who was leaner looking, stayed near Jayden on the couch.

Investigators found a white Budget Rental van, consistent with the description that Jayden gave of the vehicle he was put in, outside of the apartment complex. The van was rented by Castelan-Prado on June 10, 2021. Video surveillance from the Budget office shows Castelan-Prado arriving at the rental location in the Jeep Grand Cherokee, wearing a jacket with his last name printed on the back.

Search warrants were executed on June 16 and 17, 2021, at 27A Lakeview Avenue and 92D Lakeview Avenue, and a few days later the Jeep Grand Cherokee and the Budget Rental Van. In addition to the items previously discovered during the search of apartment 92D, multiple items

were seized, including additional cell phones belonging to both defendants, the deceased co-conspirator, Castelan-Prado, Jr., and Sonya Cabrera. The FBI analyzed the phones seized, and discovered significant evidence regarding the planning and execution of the kidnapping.

Defendant Ochoa identified his phone and provided the password to unlock it. A review of the phone showed that beginning on May 16 Ochoa traveled from California to New York City and arrived on May 18, 2021. As he traveled, Ochoa filmed 25 videos documenting the trip. The phone also contained two still images, which the metadata showed were taken using the phone, of Waldis Santana's girlfriend and five-year old child walking outside of Waldis' house, where Jayden was also living at the time of the kidnapping. The photograph was taken on June 12, 2021. The phone had location data services enabled, which produced Global Positioning System (GPS) location data beginning on June 7, 2021. The GPS data showed that Ochoa traveled from the area of Leonia, New Jersey to Philadelphia on June 8, June 10, June 11, June 12, June 13, and on June 14. On each occasion the data shows that Ochoa was in the area of the Santana residence.

A review of Castelan-Prado's phones revealed two videos of Waldis Santana's residence, which were filmed on May 4 and June 12, 2021. One of the phones contained a search for driving directions to Santana's residence, dated May 24, 2021. A GPS tracking device that can be attached to a vehicle was discovered at 92D Lakeview Avenue. A review of Castelan-Prado Jr.'s phone showed that he purchased two tracking devices, including the one found in apartment 92D. A review of Castelan-Prado's phone showed he activated both trackers. The second GPS tracking device was later located on Waldis Santana's vehicle. Additionally, while Jayden was being held against his will, Castelan-Prado asked him questions about a female he had been with over the weekend, indicating that they had also followed Jayden in the days leading up to the kidnapping.

Video surveillance from an Applebee's restaurant located next to the Olive Garden where

Jayden was abducted shows Castelan-Prado, Ochoa, and Rodriguez entering the Applebee's and going in and out of the Jeep Grand Cherokee. Surveillance video from the ACME shows a person wearing clothing items consistent with Ochoa's driving Jayden's car and parking it then entering the Jeep Grand Cherokee.

Cellular tower location data was obtained for two of the ransom phones, the phones of the two defendants, the victim's phone, and the Jeep Grand Cherokee. The location data showed that the defendants traveled in the Jeep Grand Cherokee to the area of the victim and his father's house in Philadelphia on multiple occasions in the month leading up the kidnapping. The location data also shows that they traveled to the area of the victim's residence on the day of the kidnapping, to the Olive Garden where the kidnapping took place, to the ACME where the victim's car was left, and then to Leonia, New Jersey, where the victim was ultimately recovered.

III. STATUTES CHARGED AND ELEMENTS OF THE OFFENSES

A. Count One – Conspiracy to Commit Kidnapping (18 U.S.C. § 1201(c))

Title 18, United States Code, Section 1201(c) reads as follows:

If two or more persons conspire to violate [§ 1201] and one or more of such persons do any overt act to effect the object of the conspiracy, each shall be punished by imprisonment for any term of years or for life.

To prove a violation of 18 U.S.C. § 1201(c), the government must establish the following elements beyond a reasonable doubt:

1. That two or more persons agreed to commit a kidnapping, as charged in the indictment.
2. That the defendant was a party to or member of that agreement;

3. That the defendant joined the agreement or conspiracy knowing of its objective to commit a kidnapping and intending to join together with at least one other alleged conspirator to achieve that objective; that is, that the defendant and at least one other alleged conspirator shared a unity of purpose and the intent to achieve a common goal or objective, to commit a kidnapping; and
4. That at some time during the existence of the agreement or conspiracy, at least one of its members performed an overt act in order to further the objectives of the agreement.

**B. Count Two – Kidnapping Involving Interstate Commerce
(18 U.S.C. § 1201(a)(1), (g))**

Title 18, United States Code, Section 1201(a)(1) reads, in relevant part, as follows:

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, . . . , when--

(1) the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary, or the offender travels in interstate or foreign commerce or uses the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense;

shall be punished by imprisonment for any term of years or for life.

Title 18, United States Code, Section 1201(g) reads, in relevant part, as follows:

(1) If (A) the victim of an offense under this section has not attained the age of eighteen years; and (B) the offender has attained such age; and is not a parent, a grandparent, a brother, a sister, an aunt, an uncle, or an individual having legal custody of the victim, the sentence under this section for such offense shall include imprisonment for not less than 20 years.

To prove a violation of 18 U.S.C. § 1201(a)(1), the government must establish the following elements beyond a reasonable doubt:

1. That the defendant seized or confined or inveigled or decoyed or kidnapped or abducted or carried away the hostage;
2. That the defendant held the hostage for ransom or reward or for any other reason;
3. That the hostage was transported in interstate or foreign commerce (*or* the defendant traveled in interstate or foreign commerce *or* the defendant used the mail or any means, facility, or instrumentality of interstate or foreign commerce in committing or in furtherance of the commission of the offense); and
4. That the defendant acted unlawfully, knowingly, and willfully.

IV. STIPULATIONS

To streamline the trial for the Court's and jury's convenience, the government will propose to the defense several standard and routine stipulations for cases such as this.

V. WITNESSES

The Government may call the following witnesses in its case-in-chief:

- A. Jayden Santana
- B. Waldis Santana
- C. Joana Nunez
- D. Philadelphia Police Detective Jeff Daly
- E. FBI Special Agent Shannon Treney
- F. FBI Special Agent Andrew Weintraub

G. FBI Special Agent Michael Lovett

H. FBI Special Agent Jonathan Snow

I. FBI Special Agent John Montgomery

J. FBI Special Agent Silvana Sotillo

K. FBI Special Agent Justin Notarfrancesco

L. FBI Special Agent Karen Stout

M. FBI Special Agent Steven Martz

N. FBI Special Agent Dan Johns

O. FBI Special Agent James Zajac

P. Task Force Officer Anthony Vega

Q. Biologist-Forensic Examiner Marcy L. Plaza

R. Ester Quintero

S. Frank Ferrari

T. Michael Moore

U. Kary Excobar

V. Julia Grullon

W. Eduardo Castelan-Prado Jr.

The government reserves the right to supplement this memorandum and its witness list as may be required.

Respectfully submitted,

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Date: May 26, 2022

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Government's Trial Memorandum has been served this date by electronic filing and/or first-class mail or e-mail to:

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Dated: May 26, 2022